

Alaska State Legislature

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Sectional Analysis

SB 224 Evidence Rules: Union/Employee Privilege

Section 1. This section amends Alaska Statute 09.25, adding a new section 09.25.405 that provides that confidential communications between an employee and an employee representative of an organization are privileged conversations when conducted in an advocacy setting in a disciplinary matter and provides for the definition of “organization.”

Section 2. This section amends AS 23.40, adding a new section AS 23.40.065.

Subsection (a) provides that an individual cannot be compelled in any proceeding to disclose information acquired from an employee represented by the individual if such information was obtained in confidence by that individual in connection with providing advocacy services in regards to disciplinary proceedings of the employee.

Subsection (b) provides exception to the privilege.

Subsection (c) provides that a conflict between federal or state law, this statute is preempted and does not apply.

Subsection (d) defines “organization” and “proceeding.”

Section 3. This section declares an indirect court rule change.

Section 4. This section provides that Sections 1 and 2 can only take effect upon a 2/3rds vote of both houses of the Legislature for Section 3.